

PART I
DEPARTMENT STRUCTURE

CHAPTER 1
ORGANIZATION

261—1.1(15) Mission. The Iowa department of economic development was established in 1986 pursuant to Iowa Code chapter 15. The authority delegated to the department had previously been delegated to the Iowa development commission and the office for planning and programming. The mission of the Iowa department of economic development is to continually improve the economic well-being of all Iowans by working in focused partnerships with businesses, entrepreneurs, communities and educational entities. The department's primary responsibilities are in the areas of finance, marketing, local government and service coordination, exporting, tourism, job training and entrepreneurial assistance, and small business.

261—1.2(15) Definitions. As used in these rules, unless the context otherwise requires:

“*Board*” or “*IDED board*” means the Iowa economic development board created by Iowa Code chapter 15 as amended by 2005 Iowa Acts, House File 868.

“*Department*” or “*IDED*” means the Iowa department of economic development authorized by Iowa Code chapter 15.

“*Director*” means the director of the Iowa department of economic development or the director's designee.

261—1.3(15) Iowa department of economic development board.

1.3(1) Composition.

a. Board size. The board consists of 15 voting members appointed by the governor and 7 ex officio nonvoting members. The ex officio nonvoting members are 4 legislative members, 2 state senators and 2 state representatives; 1 president, or the president's designee, of the University of Northern Iowa, University of Iowa, or Iowa State University of Science and Technology designated by the state board of regents on a rotating basis; 1 president, or the president's designee, of a private college or university appointed by the Iowa association of independent colleges and universities; and 1 superintendent, or the superintendent's designee, of a merged area school, appointed by the Iowa association of community college presidents.

b. Terms. Board members are appointed for four-year terms that begin and end as provided by Iowa Code section 69.19.

c. Voting members—representation on the board following the transitional year (July 1, 2005, to June 30, 2006). Following the transitional year, at least one of the voting members shall be less than 30 years of age at the time of appointment. At least 9 members of the board shall be actively employed in the private, for-profit sector of the economy. Each of the following areas of expertise shall be represented by at least 1 member of the board who has professional experience in that area of expertise:

- (1) Finance, insurance, or investment banking.
- (2) Advanced manufacturing.
- (3) Statewide agriculture.
- (4) Life sciences.
- (5) Small business development.
- (6) Information technology.

- (7) Economics.
- (8) Labor.
- (9) Marketing.
- (10) Entrepreneurship.

1.3(2) Meetings.

a. The board generally meets monthly at the department's offices located at 200 East Grand Avenue in Des Moines, Iowa. By notice of the regularly published meeting agendas, the board and its committees may hold regular or special meetings at other locations within the state. Meeting agendas are available on the department's Web site at www.iowalifechanging.com.

b. The board shall meet in May of each year for the purpose of receiving recommendations from the nominations committee, if established by the chairperson, and electing one of its voting members as chairperson and one of its voting members as vice chairperson. Nominations may also be made from the floor at the time of the election provided the consent of the nominee has been obtained. The chairperson and the vice chairperson shall not be from the same political party. The board shall meet at the call of the chairperson or when any eight members of the board file a written request with the chairperson for a meeting. Written notice of the time and place of each meeting shall be given to each member of the board. A majority of the voting members constitutes a quorum.

c. Any interested party may attend and observe board and committee meetings except for such portion as may be closed pursuant to Iowa Code section 21.5.

d. Observers may use cameras or recording devices during the course of a meeting so long as the use of such devices does not materially hinder the proceedings. The chairperson may order that the use of these devices be discontinued if they cause interference and may exclude any person who fails to comply with that order.

e. Open session and closed session proceedings are electronically recorded. Minutes of open meetings are available for viewing at the department's offices.

1.3(3) Duties. The board shall perform the duties as outlined in Iowa Code section 15.104, and other functions as necessary and proper to carry out its responsibilities.

1.3(4) Board committees. The board shall establish a due diligence committee, a loan and credit guarantee committee and a technology commercialization committee, and may appoint such other ad hoc committees as deemed necessary. The board chairperson may appoint a nominations committee as described in paragraph 1.3(4)"d" for the purpose of developing recommendations to the board for the election of a board chairperson, vice chairperson, and membership on board committees. Upon recommendation of the nominations committee, the board shall elect the members of the committees, and the board chairperson shall designate the chairpersons and vice-chairpersons of all committees.

a. *Due diligence committee.* The due diligence committee shall be an advisory committee composed of members of the board elected annually by the voting members of the board. The size of the committee and the terms of committee members will be established annually by the board. Duties of the due diligence committee include, but are not limited to, carrying out any duties assigned by the board in relation to programs administered by the department, reviewing applications for financial assistance, conducting a thorough review of proposed projects and making recommendations to the board regarding funding. A majority of committee members constitutes a quorum.

b. *Loan and credit guarantee committee.* The loan and credit guarantee committee shall be an advisory committee composed of members of the board elected annually by the voting members of the board. The size of the committee and the terms of committee members will be established annually by the board. Duties of the loan and credit committee include, but are not limited to, carrying out any duties assigned by the board in relation to the loan and credit guarantee program administered by the department, reviewing loan and credit guarantee applications and making recommendations to the board regarding funding. A majority of committee members constitutes a quorum.

c. *Technology commercialization committee.* To evaluate and approve funding for projects and programs under 2005 Iowa Acts, House File 809, section 19, the board shall create a technology commercialization committee composed of members with expertise in the areas of biosciences, engineering, manufacturing, pharmaceuticals, materials, information solutions, software, and energy. At least one member of the technology commercialization committee shall be a member of the economic development board. The size of the committee and the terms of committee members will be established annually by the board. An organization designated by the department, composed of members from both the public and private sectors and composed of subunits or subcommittees in the areas of already identified bioscience platforms, education and workforce development, commercialization, communication, policy and governance, and finance, shall provide funding recommendations to the technology commercialization committee. A majority of committee members constitutes a quorum.

d. *Nominations committee.* The board chairperson may appoint a nominations committee comprised of voting members of the board. The committee shall be appointed by the chairperson at a meeting of the board prior to May 1 of each year.

1.3(5) Appeals of department of revenue decisions—wage-benefit tax credit program appeals. A business whose application for a wage-benefit tax credit has been denied by the department of revenue may appeal the decision to the board. The appeal must be made in writing and received by the department within 30 days of the date on the notice of denial sent to the business by the department of revenue. The board may uphold or overturn the decision of the department of revenue. If the IDED board overturns the decision of the department of revenue, the department of revenue will be instructed, subject to availability, to issue a tax credit certificate.

261—1.4(15) Department structure.

1.4(1) General. The department's organizational structure consists of the director, deputy director, and four divisions.

1.4(2) Director. The Iowa department of economic development is administered by a director appointed by the governor, who serves at the pleasure of the governor and is subject to confirmation by the senate. The director is the chief administrative officer of the department and in that capacity administers the programs and services of the department in compliance with applicable federal and state laws and regulations. The duties of the director are as authorized in Iowa Code section 15.106 and include preparing a budget subject to board approval, establishing an internal administrative structure and employing personnel, reviewing and submitting to the board legislative proposals, recommending rules to the board, reporting to the board on grants and contracts awarded by the department, and other actions to administer and direct the programs of the department.

The administrators of the four divisions and the deputy director report to the director.

1.4(3) Deputy director. The deputy director, appointed by the director, directs and administers the department in the director's absence.

1.4(4) Divisions. The director has established the following administrative divisions within the department in order to most efficiently and effectively carry out the department's responsibilities:

1. Administration division;
2. Business development division;
3. Community development division; and
4. Targeted industries division.

1.4(5) Attachment for administrative purposes; board support. The Iowa department of economic development provides office space and staff support to the city development board pursuant to Iowa Code sections 368.9 and 15.108(3)“a”(2). The department provides administrative support to the vision Iowa board pursuant to Iowa Code section 15F.104 and the renewable fuel infrastructure board pursuant to Iowa Code section 15G.202.

1.4(6) Advisory committees. The director may appoint committees to serve in an advisory capacity to the department that are deemed necessary to accomplish the work of the department. The size of the committee and the terms of committee members will be established by the director. These committees may be dissolved as deemed appropriate by the director, and other committees may from time to time be established for specific purposes.

261—1.5(15) Information. The general public may obtain information about the Iowa department of economic development by contacting the Iowa Department of Economic Development, 200 East Grand Avenue, Des Moines, Iowa 50309; telephone (515)242-4700; or through the department’s Web site at www.iowalifechanging.com.

These rules are intended to implement Iowa Code chapter 15, 2005 Iowa Acts, House File 868 and House File 809, and Iowa Code section 17A.3.

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CHAPTER 2

GROW IOWA VALUES FUND ASSISTANCE

Rescinded IAB 7/4/07, effective 6/15/07; see 261—Ch 165

CHAPTER 3

PETITION FOR DECLARATORY RULING

Renumbered 261—Ch 103, IAB 7/19/95